

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
HELENA DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

WARREN WEBER,

Defendant.

**CR-23-04-H-BMM**

**ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS**

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on November 22, 2023. (Doc. 34.)

When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Bad Old Man v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on November 21, 2023. (Doc. 33.) The United States accused Warren Weber (Weber) of violating his conditions

of supervised release 1) by failing to report to the United States probation Office within 72 hours of his release from prison; 2) by failing to register as a sex offender; 3) by using a computer capable of accessing the internet without obtaining the prior approval of his probation officer; 4) by leaving his residence without obtaining the prior approval of his probation officer; 5) by residing at his brother's house after November 14, 2023; and 6) by failing to reside as a place approved by his probation officer. (Doc. 30.)

At the revocation hearing, Weber admitted to having violated the conditions of his supervised release 1) by failing to report to the United States probation Office within 72 hours of his release from prison; 2) by using a computer capable of accessing the internet without obtaining the prior approval of his probation officer; 3) by leaving his residence without obtaining the prior approval of his probation officer; 4) by residing at his brother's house after November 14, 2023; and 5) by failing to reside as a place approved by his probation officer. (Doc. 33.) Judge Johnston dismissed alleged violation 2 on the government's motion. (*Id.*) Judge Johnston found that the violations Weber admitted are serious and warrants revocation of his supervised release and recommends a sentence until February 29, 2024 with a lifetime of supervised release to follow with the first 180 days of supervised release in a residential re-entry center. (Doc. 34.) Weber was advised of

his right to appeal and allocute before the undersigned. (Doc. 33.) The Court finds no clear error in Judge Johnston's Findings and Recommendations.

Accordingly, **IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 34) are **ADOPTED IN FULL. IT IS FURTHER ORDERED** that Defendant Warren Weber be sentenced to the Bureau of Prison until February 29, 2024 with a lifetime of supervised release to follow, with the first 180 days of supervised release in a residential re-entry center.

DATED this 11th day of December, 2023.



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Brian Morris, Chief District Judge  
United States District Court